

Selendy Gay Elsberg PLLC
1290 Avenue of the Americas
New York NY 10104
212.390.9000



David Elsberg
Partner
212.390.9004
delsberg@selendygay.com

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Via ECF

Hon. Cecelia G. Morris
United States Bankruptcy Court
355 Main Street
Poughkeepsie, New York 12601-3315

Re: *In re Fairfield Sentry Ltd (In Liquidation)*, Case Nos. 10-3635, 10-3636

Dear Judge Morris:

We write on behalf of the Fairfield Liquidators, jointly with Defendant Banque Internationale à Luxembourg SA (*f/k/a* Dexia Banque Internationale à Luxembourg) (“BIL”) to update the Court regarding the discovery dispute discussed at the October 19, 2022 omnibus conference. *See* 10-ap-3635, Dkt. No. 958; 10-ap-3636, Dkt. No. 1039; *see also* 10-ap-3635, Dkt. No. 986; 10-ap-3636 Dkt. No. 1069.

Pursuant to the Court’s order at the October 19, 2022 conference, the Liquidators deposed a witness from BIL pursuant to Rule 30(b)(6) on December 14, 2022. The parties have conferred and have agreed upon a briefing schedule for the Liquidators’ motion for sanctions under Rule 37, which the Court authorized the Liquidators to file at the October 19, 2022 conference.

The parties respectfully request that the Court remove the January 18, 2023 hearing on these issues and further request that the Court enter the attached proposed scheduling order reflecting the parties’ jointly agreed-upon deadlines for briefing the Rule 37 motion.

Respectfully submitted,

/s/ David Elsberg

David Elsberg